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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,175	12/27/2000	Rohn Bowden	US000203	4958
7590	04/22/2004		EXAMINER	VU, NGOC YEN T
Richard L Mayer Esq Kenyon & Kenyon One Broadway New York, NY 10004			ART UNIT	PAPER NUMBER
			2612	
			DATE MAILED: 04/22/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/749,175	BOWDEN ET AL.
	Examiner Ngoc-Yen T. Vu	Art Unit 2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 December 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,5,6 and 9 is/are rejected.
- 7) Claim(s) 3,4 and 7-8 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 October 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2.8</u> .	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements, filed 10/15/01, 04/15/02 and 08/01/03, have been placed in the application file, and the information referred to therein has been considered as to the merits.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "the dome" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Jones et al. (US #5,689,304).

Regarding claim 1, Pearl '866 teaches a camera assembly (10) (Figs. 1-2) which comprises a camera housing (16) enclosing a camera system (15) wherein the optical surface (dome 26) is rotatable relative to the camera housing after the camera system is positioned.

Claim 1 differs from Pearl in that the claim further requires the housing having a mounting cap attached to sidewalls to which is attached an optical surface. However, for the purpose of decorating the assembly as well as establishing an air flow path it is well known in the art to provide a mounting cap for a camera surveillance housing assembly, as taught in Jones et al (see Figs. 5-7). In light of the teaching from Jones, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a mounting cap so as to decorate the camera assembly as well as establishing an air flow path for the assembly.

As to claim 5, Pearl teaches that the dome is a substantially opaque dome with a transparent window, which dome can be rotated to align the camera assembly position with the transparent window (See Figs. 1 & 2, col. 3 line 61 – col. 4 line 7; col. 4 line 45 – col. 5 line 16).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Schneider (US #2003/0053806).

Regarding claim 2, Pearl '866 teaches a camera assembly having a housing (16), which comprises an optical dome (26) rotatable relative to the housing (16) (see Figs. 1-2). Claim 2 differs from Pearl in that the claim further requires the use of a circumferential seal attached to a circumferential flange portion of the housing. However, for the purpose of providing an efficient sealing arrangement between different housings in a surveillance camera assembly, it is well known to use a circumferential seal as taught in Schneider (para. 0009, 0024-0027; 0029-0030). In light of the teaching from Schneider, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a circumferential seal attached to a circumferential flange portion of the housing for the purpose of providing an efficient sealing arrangement between different housings in the camera assembly.

6. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearl et al. (US #3,993,866) in view of Schneider (US #2003/0053806), Jones et al. (US #5,689,304) and Ryan et al. (US #6,643,456).

Regarding claim 6, Pearl '866 teaches a camera assembly having a housing (16), which comprises an optical dome (26) rotatable relative to the housing (16) (see Figs. 1-2). Claim 2

differs from Pearl in that the claim further requires the use of a circumferential seal attached to a circumferential flange portion of the housing. However, for the purpose of providing an efficient sealing arrangement between different housings in a surveillance camera assembly, it is well known to use a circumferential seal as taught in Schneider (para. 0009, 0024-0027; 0029-0030). In light of the teaching from Schneider, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl a circumferential seal attached to a circumferential flange portion of the housing for the purpose of providing an efficient sealing arrangement between different housings in the camera assembly.

Claim 6 differs from Pearl and Schneider in that the claim further requires the housing having a mounting cap attached to a top wall, and sidewalls to which is attached an optical surface. However, for the purpose of decorating the assembly as well as establishing an air flow path it is well known in the art to provide a mounting cap for a camera surveillance housing assembly, as taught in Jones et al (see Figs. 5-7). In light of the teaching from Jones, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl and Schneider a mounting cap so as to decorate the camera assembly as well as establishing an air flow path for the assembly.

Claim 6 differs from Pearl, Schneider and Jones in that the claim further requires an environmental shroud attached to the camera housing and effective to reflect and/or deflect heat energy, dissipate heat energy not reflected or deflected, and protect the camera housing from the ingress of moisture. However, it is well known in the art to provide an environmental shroud attached to the camera assembly to effectively reflecting and/or deflecting heat energy and dissipating heat energy as taught in Ryan (see abstract). In light of the teaching from Ryan, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the camera assembly taught in Pearl, Schneider and Jones an environmental shroud attached to the camera assembly to effectively reflecting and/or deflecting heat energy and dissipating heat energy.

As to claim 9, Pearl teaches that the dome is a substantially opaque dome with a transparent window, which dome can be rotated to align the camera assembly position with the transparent window (See Figs. 1 & 2, col. 3 line 61 – col. 4 line 7; col. 4 line 45 – col. 5 line 16).

Allowable Subject Matter

7. Claims 3, 4, 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc-Yen T. Vu whose telephone number is 703-305-4946. The examiner can normally be reached on Mon. – Fri. from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



NGOC-YEN VU
PRIMARY EXAMINER
Art Unit 2612

NYV
04/18/2004